

105TH CONGRESS
2D SESSION

H. R. 3512

To amend title 18, United States Code, with respect to Federal prisoners,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 1998

Mr. CHRISTENSEN introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend title 18, United States Code, with respect to
Federal prisoners, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pay for Your Stay
5 Act”.

6 **SEC. 2. WORK REQUIREMENTS FOR PRISONERS.**

7 (a) IN GENERAL.—Chapter 301 of title 18, United
8 States Code, is amended by adding at the end the follow-
9 ing:

1 **“§ 4014. Work requirement for prisoners**

2 “(a) The Attorney General shall establish by rule—

3 “(1) the requirement that Federal prisoners
4 that are able to do so engage in work and that such
5 prisoners work at least 48 hours each week;

6 “(2) the requirement that Federal prisoners en-
7 gage in educational study for at least 12 hours each
8 week;

9 “(3) that no television viewing will be provided
10 to Federal prisoners, except educational programs;
11 and

12 “(4) that a 25 percent assessment be levied on
13 all wages earned by Federal prisoners, with 5 per-
14 cent returned to the prosecuting agency to help re-
15 imburse the cost of the prosecution, 10 percent set
16 aside for victim restitution, and 10 percent placed in
17 the Fund created by subsection (b).

18 “(b) There is established in the Treasury the James
19 Wilson, Jr. Fund (referred to in this section as the
20 ‘Fund’). The Fund shall consist of moneys placed in it
21 under subsection (a). The Attorney General shall distrib-
22 ute the money in the fund equally between—

23 “(1) State and local programs whose primary
24 purpose is to provide training and purchase equip-
25 ment designed to protect peace officers from per-

1 sonal injury in the line of duty resulting from the
2 criminal acts of third parties; and

3 “(2) to families of local, State, and Federal
4 peace officers killed in the line of duty;
5 according to such procedures, and in such amounts, as the
6 Attorney General shall by rule establish.

7 “(c) The Attorney General, in consultation with the
8 appropriate authorities of States, the District of Colum-
9 bia, and other territories and possessions of the United
10 States, shall establish a system whereby inmate labor may
11 be utilized, with or without compensation, to undertake
12 activities to mediate the damage caused by an impending
13 natural disaster or to remediate the damage done by such
14 a disaster.”.

15 (b) NO ADVERSE IMPACT ON BUSINESS CONCERNS
16 AND THEIR LAW-ABIDING EMPLOYEES.—Chapter 301 of
17 title 18, United States Code, as amended by subsection
18 (a), is further amended by adding at the end the following:

19 **“§ 4015. Protection from unfair competition by prison**
20 **labor**

21 “(a) WORK OPPORTUNITIES WITHIN FEDERAL COR-
22 RECTIONAL INSTITUTIONS.—In implementing the require-
23 ments of section 4014(a), the Attorney General shall—

1 “(1) maximize the employment of inmates with
2 respect to the operation and maintenance of Federal
3 corrections institutions; and

4 “(2) maximize the employment of inmates in
5 work-based vocational education and skill training
6 activities designed to prepare participating inmates
7 for gainful employment after release, while avoiding,
8 to the maximum extent practicable, expanding sales
9 of any resulting products or services pursuant to
10 section 4124.

11 “(b) MINIMIZING UNFAIR COMPETITION WITH THE
12 PRIVATE SECTOR.—Any expansion in the inmate produc-
13 tion of products or services to be offered for sale resulting
14 from the implementation of section 4014(a)—

15 “(1) may be sold only through Federal Prison
16 Industries to Federal agencies on a competitive basis
17 pursuant to either section 303 of the Federal Prop-
18 erty and Administrative Services Act of 1949 (41
19 U.S.C. 253) or section 2304 of title 10, United
20 States Code, and their implementing regulations;
21 and

22 “(2) shall be approved for sale by the Board of
23 Directors of Federal Prison Industries pursuant to
24 section 4122(b), after determining that the proposed
25 volume of sales is not expected to have an adverse

1 impact on sales to the Government by a private sec-
 2 tor contractor offering the same specific product or
 3 service.

4 “(c) DISASTER REMEDIATION ACTIVITIES BY IN-
 5 MATES.—In implementing section 4014(c), the Attorney
 6 General shall—

7 “(1) maximize the use of inmate labor to aug-
 8 ment governmental personnel and community volun-
 9 teers in preparing for a natural disaster or in con-
 10 ducting remediation activities during the period im-
 11 mediately after such a disaster; and

12 “(2) assure that inmate labor does not supplant
 13 post-disaster remediation activities that would other-
 14 wise be performed under contract by private sector
 15 firms employed by an affected individual or govern-
 16 mental entity.”.

17 (c) CLERICAL AMENDMENT.—The table of sections
 18 at the beginning of chapter 301 of title 18, United States
 19 Code, is amended by adding at the end the following new
 20 items:

“4014. Work requirement for prisoners.

“4015. Protection from unfair competition by prison labor.”.

21 **SEC. 3. REQUIRED STATEMENT OF ASSETS.**

22 Section 1915(a)(2) of title 28, United States Code,
 23 is amended by adding at the end the following: “Such pris-

- 1 oner shall also submit a statement of all other assets such
- 2 prisoner possesses.”.

